

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AUDREY SOVA,

Plaintiff,

vs.

RELIASTAR LIFE INSURANCE COMPANY,

Defendant.

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Case No. 1:23-cv-6146

Hon. Sara L. Ellis

PLAINTIFF’S RULE 52 MOTION FOR ENTRY OF JUDGMENT

Now comes Plaintiff, AUDREY SOVA, by and through her undersigned attorney, pursuant to Federal Rule of Civil Procedure 52, and moves for entry of judgment in her favor and against Defendant. In support thereof, Plaintiff submits Plaintiff’s Proposed Findings of Fact (Dkt. No. 29) and Memorandum of Law (Dkt. No. 30).

The Court should grant Plaintiff’s Motion for Entry of Judgment and ward her past due disability benefits, prejudgment interest payable thereon, and a declaratory judgment clarifying her right to future benefits, so long as she meets the policy’s terms and conditions. 29 U.S.C. § 1132(a)(1)(B). Plaintiff seeks benefits due to her since April 23, 2022 in the amount of \$3,367.04 per month. (Dkt. No. 29, Plaintiff’s Proposed Findings of Fact, ¶ 15). In addition, Plaintiff seeks pre-judgment interest at the current prime rate thereon. Though Plaintiff sought attorney’s fees and costs under [29 U.S.C. § 1132\(g\)](#) in the Complaint, Plaintiff reserves addressing that claim until after a decision on the merits, and pursuant to the procedures of Local Rule 54.3.

WHEREFORE, Plaintiff prays judgment be entered on her behalf, and the Court enter and Order that:

- A. Defendant must pay Plaintiff \$3,367.04 dating back to April 23, 2022;
- B. Defendant must pay Plaintiff prejudgment interest at the current prime rate on all past due benefits;
- C. The matter be remanded to Defendant to make an initial decision on Plaintiff's eligibility for disability benefits beyond April 22, 2024 under the certificate's gainful occupation definition of disability.

Respectfully Submitted,

/s/ Michael Bartolic
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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record via the Electronic Filing System of the U.S. District Court for the Northern District of Illinois on April 29, 2024.

/s/ Michael Bartolic
Michael Bartolic